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D. DAVID STEELE, ESQ. (State Bar #171636)  
KEITH E. PATTERSON, ESQ. (State Bar #225753)  
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Attorneys for Defendant  
TODD SHIPYARDS CORPORATION

IN THE UNITED STATES DISTRICT COURT  
  
NORTHERN DISTRICT OF CALIFORNIA  
  
SAN FRANCISCO DIVISION

RONALD DUTTON	)	C 05-3107 JSW
	)	
Plaintiff,	)	<b>JOINT MOTION AND STIPULATION TO</b>
vs.	)	<b>CONTINUE CASE MANAGEMENT</b>
	)	<b>CONFERENCE AND TO EXTEND TIME;</b>
TODD SHIPYARDS CORPORATION;	)	<b><del>PROPOSED</del> ORDER</b>
GENERAL DYNAMICS CORPORATION;	)	
LOCKHEED SHIPBUILDING COMPANY;	)	
VIAD CORP., and DOES 1-300.	)	
	)	
Defendants.	)	
	)	

Pursuant to Civil L. R. 7-11 and 7-12, the following parties hereby stipulate to, and respectfully move the Court, for an Order continuing the Case Management Conference and extending the pre-Case Management Conference deadlines as set forth in the Order Setting Initial Case Management Conference filed August 1, 2005 (Document 2), for the reasons set forth below.

On September 23, 2005, Defendant Todd Shipyards Corporation filed a Notice and Motion to Transfer Action under 18 U.S.C. §1407 (Document 10) to the pending Multi-District Litigation in the Eastern District of Pennsylvania, which seeks to move jurisdiction of this matter to that District.

To date, the Clerk of the Judicial Panel on Multi-District Litigation has not entered a Conditional Transfer Order pursuant to Multi-District Litigation Panel Rule 12(a) or filed an Order to Show Cause why the action should not be transferred to that District pursuant to Multi-District

Litigation Panel Rule 13(b). It is likely that the Case Management Conference and the pre-Case Management Conference deadlines set by this Court will come to pass before the Clerk of the Multi-District Litigation Panel acts on Defendant Todd Shipyards Corporation's Notice and Motion.

Due to the pending action by the Clerk of the Multi-District Litigation Panel, and the time needed by the Panel to consider the Notice and Motion of Defendant Todd Shipyards Corporation, the following parties hereby stipulate to, and respectfully request, that the Case Management Conference, currently set for hearing on **January 13, 2006**, as set forth in the Order Continuing the Case Management Conference, filed on October 20, 2005 and entered on October 21, 2005 (Document 15), be further continued pending the outcome of the Multi-District Litigation Panel's decision on the merits of the transfer. In addition, the parties request that the pre-Case Management Conference deadlines set forth in the Order Setting Initial Case Management Conference be vacated.

Dated: December 7, 2005

YARON & ASSOCIATES

By: /S/ Keith Patterson

Keith E. Patterson  
Attorneys for Defendant Todd Shipyards  
Corporation

Dated: December 7, 2005

BRAYTON ♦ PURCELL

By: /S/ David R. Donadio

David R. Donadio  
Attorneys for Plaintiff Ronald Dutton

Dated: December 7, 2005

KNOTT & GLAZIER LLP

By: /S/ Laura Patricia Yee

Laura Patricia Yee  
Attorneys for Defendant Lockheed  
Shipbuilding Company

Dated: December 7, 2005

CHARTER DAVIS, LLP

By: /S/ Jeffery J.A. Hinrichsen

Jeffery J.A. Hinrichsen  
Attorneys for Defendant Viad Corp.

[PROPOSED] ORDER


IT IS HEREBY ORDERED that the Case Management Conference on January 13, 2006, as set forth in the Order Continuing the Case Management Conference, filed on October 20, 2005, and entered on October 21, 2005 (Document 15), is hereby VACATED.

IT IS FURTHER ORDERED that the pre-Case Management Conference deadlines specified in the Order Setting Initial Case Management Conference, filed August 1, 2005 (Document 2), are hereby VACATED.

IT IS FURTHER ORDERED that the Case Management Conference is continued to a date on or after January 13, 2006, to wit: Friday, March 24, 2006 at 1:30 p.m., Courtroom 2, 17<sup>th</sup> Floor, 450 Golden Gate Avenue, San Francisco, California, 94102.

IT IS SO ORDERED

DATED: December 9, 2005

  
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE